

## REQUEST FOR COUNCIL ACTION

329  
MEETING  
DATE: 04-07-03

AGENDA SECTION: PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO. <b>E-16</b>
ITEM DESCRIPTION: Annexation Petition #03-10 by First Baptist Church to annex approximately 57.51 acres of land located along the north side of Salem Road SW (CSAH 25), west of Salem Road Covenant Church and west of the proposed Bamber Valley Estates development. The property is located in a part of the NW ¼ of Section 9 and a part of the NE ¼ of Section 8 of Rochester Township.		PREPARED BY: Theresa Fogarty, Planner

April 2, 2003

### **City Planning and Zoning Commission Recommendation:**

The City Planning and Zoning Commission reviewed this annexation request on March 26, 2003. The Commission found that this property is adjacent to the City limits and can be served by city services upon extension of sanitary sewer and water lines from their present ends. The Planning Commission therefore recommends approval of this request.

**Ms. Petersson moved to recommend approval of Annexation Petition #03-10 by First Baptist Church. Mr. Burke seconded the motion. The motion carried 7-0.**

### **Planning Department Recommendation:**

See attached staff report, dated March 18, 2003.

Minnesota Statutes now specify that the property taxes payable in the year an annexation is effective shall be paid to the Township. For the five years following the annexation, the City must make a cash payment to the Township equaling 90%, 70%, 50%, 30% and 10% of the Townships share of the taxes in the year the property was annexed. The Township Taxes on this property for 2002 is \$146.83.

### **Council Action Needed:**

1. Following the public hearing, if the Council wishes to proceed as petitioned, it should instruct the City Attorney to prepare an ordinance to be adopted and transmitted to the MN Planning /Office of Strategic and Long Range Planning.

### **Attachments**

1. Staff report, dated March 18, 2003.
2. Draft copy of the minutes of the March 26, 2003, CPZC meeting

### **Distribution:**

1. City Administrator
2. City Clerk
3. City Attorney: Legal Description Attached
4. City Finance Director: Tax Information Attached
5. Planning Department File
6. Applicant: This item will be considered sometime after 7:00 p.m. on Monday, April 7, 2003 in the Council Chambers at the Rochester / Olmsted County Government Center.
7. McGhie & Betts, Inc.

**COUNCIL ACTION:** Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_ to: \_\_\_\_\_

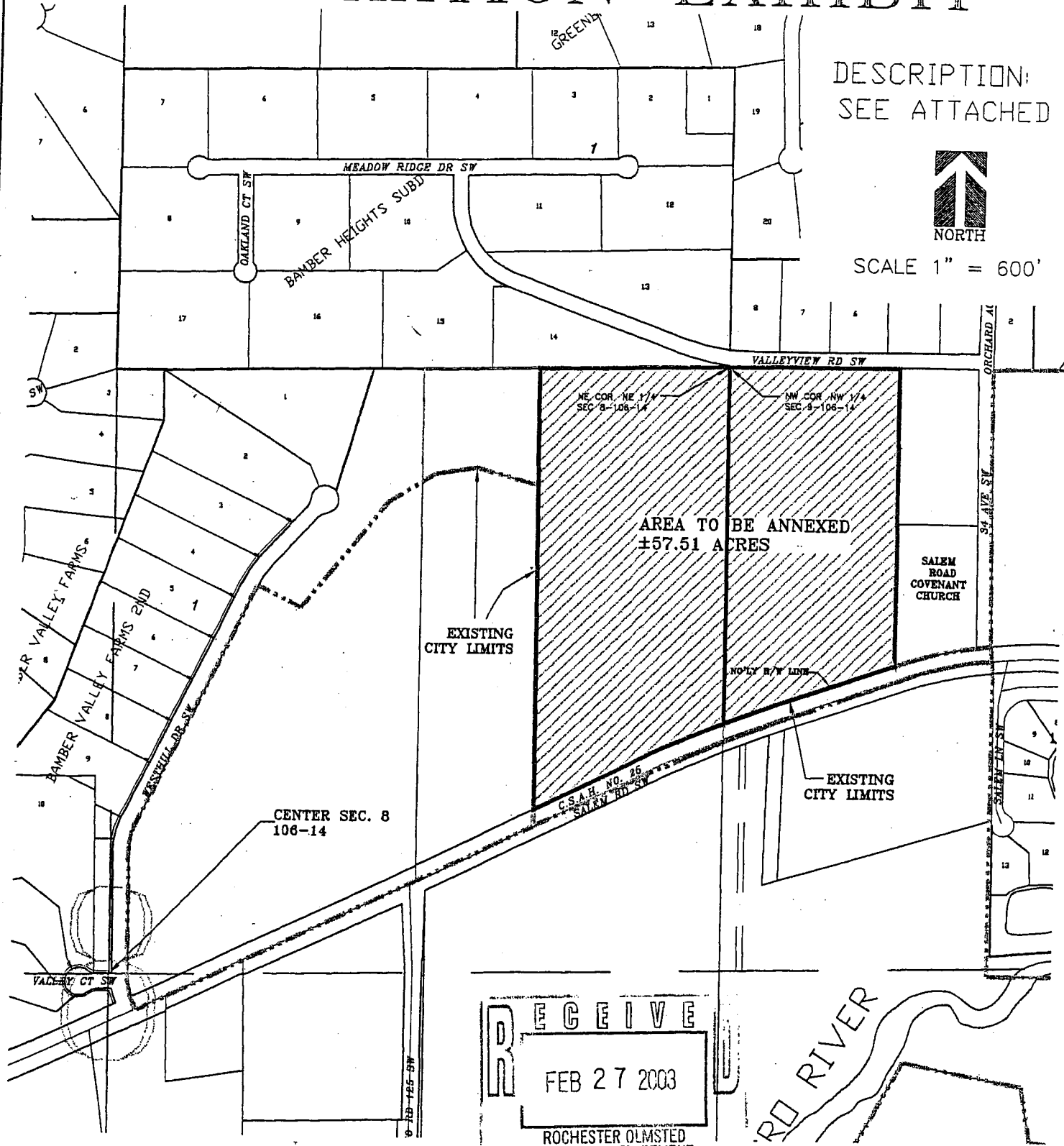
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# ANNEXATION EXHIBIT

DESCRIPTION:  
SEE ATTACHED



SCALE 1" = 600'



**RECEIVE**  
FEB 27 2003  
ROCHESTER OLIMSTED  
PLANNING DEPARTMENT

FOR:  
FIRST BAPTIST CHURCH  
415 16TH STREET SW  
ROCHESTER, MN 55902

Land Surveying  
Urban-Land Planning  
Consulting - Civil Engineering

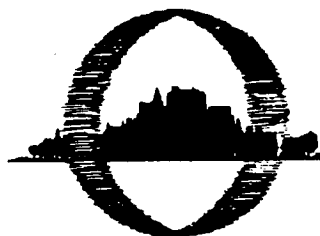
**McGhie**

Geotechnical Engineering  
Construction Material Testing  
Landscape Architecture

1648 Third Avenue S.E.

SCALE:	1" = 600'
DRAWN BY:	MES
DATE:	02/24/03
ACCT. NO.:	6266/3030
	Cadd No. 3030ANNE

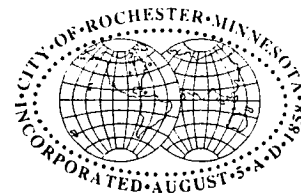
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## ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF  
*Olmsted*



**TO:** City Planning and Zoning Commission

**FROM:** Theresa Fogarty, Planner

**DATE:** March 18, 2003

**RE: Annexation Petition #03-10 by First Baptist Church to annex approximately 57.51 acres of land located along the north side of Salem Road SW (CSAH 25), west of Salem Road Covenant Church and west of the proposed Bamber Valley Estates development. The property is located in a part of the NW ¼ of Section 9 and a part of the NE ¼ of Section 8 Rochester Township.**

### **Planning Department Review:**

<b>Applicants/Owners:</b>	First Baptist Church 415 SW 16 <sup>th</sup> Street Rochester, MN 55902
<b>Architect/Engineer:</b>	McGhie & Betts, Inc. 1648 Third Avenue SE Rochester, MN 55904
<b>Location of Property:</b>	The property is located along the north side of Salem Road SW (CSAH 25), west of Salem Road Covenant Church and west of the proposed Bamber Valley Estates development.
<b>Existing Land Use:</b>	This property is currently undeveloped land.
<b>Size:</b>	The property proposed for annexation is approximately 57.51 acres of unplatted land.
<b>Existing Zoning:</b>	The property is zoned A-3 (Agricultural) District on the Olmsted County zoning map.
<b>Future Zoning:</b>	Upon annexation, the property will be zoned R-1 (Mixed Single Family Residential) district on the Rochester zoning map.
<b>Land Use Plan:</b>	This property is designated for "low density residential" uses on the Rochester Urban Service Area Land Use Plan.
<b>Adjacency to the Municipal Limits:</b>	The property is adjacent to the city limits along the southern and western boundaries.



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**Sewer & Water:**

This area is within the Main Level Water System Area, which is currently available at the intersection of 34<sup>th</sup> Avenue SW and Salem Road SW.

Municipal sewer & water are not currently available, but can be extended to serve this property.

**Utilities:**

Pursuant to Minnesota Statutes 414.033 (subd. 13), a municipality must notify a petitioner that the cost of electric utility service may change if the land is annexed to the municipality. A notice has been provided to the applicant.

**Townboard Review:**

Minnesota State Statutes require that the Townboard members receive a written notice, by certified mail, 30 days prior to the public hearing. The City Council will hold a public hearing on this item on Monday, April 7, 2003. The City Clerk has sent the certified 30 day notice.

**Referral Comments:**

1. Rochester Public Utilities - Water Division
2. Rochester Public Works Department
3. Olmsted County Public Works Department
4. MN Department of Transportation
5. Planning Department – Wetlands LGU Representative
6. Rochester Fire Department

**Report Attachments:**

1. Annexation Map / Location Map
2. Referral Comments (6 letters)

**Staff Recommendation:**

This property is adjacent to the City limits and can be served by city water services upon extension of the water lines from their present ends. The Planning staff recommends that the City proceed to adopt an ordinance annexing the property according to Minnesota Statutes 414.033, Subdivision 2(3).



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March 6, 2003

Rochester-Olmsted  
CONSOLIDATED PLANNING DEPARTMENT  
2122 Campus Drive SE  
Rochester, MN 55904-7996

REFERENCE: Annexation Petition #03-10 by First Baptist Church to annex 57.51 acres of land located along the north side of Salem Road SW and west of 34<sup>th</sup> Ave. SW.

Dear Ms. Garness:

Our review of the referenced petition is complete and our comments follow:

1. The property may be subject to the water availability fee, connection fees or assessments. The Land Development Manager (507-281-6198) at the Public Works Department determines the applicability of these fees.
2. This area is within the Main Level Water System Area, which is currently available at the intersection of 34<sup>th</sup> Ave. and Salem Road SW.
3. We will work with the applicant's engineering firm to develop the necessary water system layout to serve this area.

Please contact us at 507-280-1600 if you have questions.

Very truly yours,

Donn Richardson  
Water

C: Doug Rovang, RPU  
Mike Engle, RPU  
Mark Baker, City Public Works  
Vance Swisher, Fire Prevention  
First Baptist Church  
McGhie & Betts, Inc.

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# ROCHESTER

— Minnesota —

TO: Consolidated Planning Department  
2122 Campus Drive SE  
Rochester, MN 55904

DEPARTMENT OF PUBLIC  
WORKS  
201 4<sup>th</sup> Street SE Room 108  
Rochester, MN 55904-3740  
507-287-7800  
FAX – 507-281-6216

FROM: Mark E. Baker

Date: 3/14/03

The Department of Public Works has reviewed the requested application for Annexation #03-10 on the First Baptist Church Property (p/o Sect 8 & 9, Rochester Township). The following are Public Works comments on the proposal:

1. Municipal sewer & water are not currently available, but can be extended to serve this property.

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PUBLIC WORKS DEPARTMENT  
2122 CAMPUS DR SE - SUITE 200  
ROCHESTER MN 55904-4744  
www.olmstedpublicworks.com  
507.285.8231

March 3, 2003

Jennifer Garness  
Planning Department

Dear Jennifer:

The Public Works Department has reviewed Annexation Petition #03-10 by First Baptist Church and has the following comment:

- ***Access to CSAH 25 will require an access permit.***
- ***Access control will be required along CSAH 25.***
- ***Right turn lane and by-pass lane is required at public streets.***

Sincerely,

Michael Sheehan  
County Engineer

MS:ss



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AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

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## Minnesota Department of Transportation

Minnesota Department of Transportation - District 6

Mail Stop 060  
2900 48<sup>th</sup> Street N.W.  
Rochester, MN 55901-5848

Office Tel: 507-280-2913

Fax: 507-285-7355

E-mail: dale.maul@dot.state.mn.us

March 11, 2003

Jennifer Garness  
Rochester Olmsted Planning Department  
2122 Campus Drive SE - Suite 100  
Rochester, MN 55904

**RE: Final Plat #03-02 by Roger Payne to be known as Century Hills Seventh Subdivision. The Plat proposes to subdivide 9.44 acres of land into 25 lots for single family development.**

**Annexation Petition #03-08 by GP Development LLC to annex approximately 44.99 acres of land located along the west side of 18<sup>th</sup> Avenue SW.**

**Type II Conditional Use Permit and Type III, Phase II Restricted Development #03-05, by Mayo Foundation.**

**Land Subdivision Permit (Preliminary Plat) #03-10 to be known as Badger Village Townhomes by Circle 22 Investors, LLC.**

**Final Plat #99-25 by Rocky Creek of Rochester, LLC to be known as Glendale Hills Fourth.**

**Annexation Petition #03-10 by First Baptist Church to annex approximately 57.51 acres of land located along the north side of Salem Road SW (CSAH 25).**

**Land Subdivision Permit (Preliminary Plat) #03-09 to be known as North Park Fourteenth Subdivision by Leslie A. Lurken.**

**Land Subdivision Permit (Preliminary Plat) #03-08 to be known as Fieldstone by GP Development Inc.**

**Type III, Phase III Incentive Development Final Plan #02-50 by Church of St. Pius X.**

Dear Ms. Garness:

The Minnesota Department of Transportation (Mn/DOT) has reviewed the above proposals. Although these developments do not have direct access to Mn/DOT roadways, Mn/DOT requests the City of Rochester to continue managing traffic impacts for both City and State roadways.

Thank you for keeping Mn/DOT informed. Any questions you have may be directed to Fred Sandal, Principal Planner, at (507) 285-7369 or Debbie Persoon-Bement, Plan and Plat Coordinator, at (507) 281-7777.

Sincerely,

A handwritten signature in dark ink, reading 'Dale E. Maul'.

Dale E. Maul  
Planning Director



**WETLAND COMMENTS FOR DEVELOPMENT APPLICATIONS**

**Application Number: Annexation #03-10, First Baptist Church**

- ☐ No hydric soils exist on the site based on the Soil Survey
- ☐ Hydric soils exist on the site according to the Soil Survey. The property owner is responsible for identifying wetlands on the property and submitting the information as part of this application.
- ☒ A wetland delineation has been carried out for the property and is on file with the Planning Department.
- ☐ A wetland delineation is on file with the Planning Department and a No-Loss, Exemption, or Replacement Plan has been submitted to the Planning Department.
- ☐ A wetland related application has been approved by the City. This plan incorporates the approved wetland plan.
- ☐ No hydric soils exist on the property based on the Soil Survey. However, due to the location in the landscape, the property owner should examine the site for wetlands. The property owner is responsible for identifying wetlands.
- ☒ Other or Explanation:

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The hand to reach for...  
DAVID A. KAPLER  
Fire Chief

DATE: March 5, 2003

TO: Jennifer Garness, Planning

FROM: R. Vance Swisher  
Fire Protection Specialist

SUBJECT: Annexation Petition #03-10 by First Baptist Church to annex approximately 57.51 acres of land located along the north side of Salem Road SW, west of Salem Road Covenant Church and west of the proposed Bamber Valley Estates development. The property is located in a part of the NW ¼ of Section 98 and part of NE ¼ of Section 8 Rochester Township.

With regard to the above noted annexation petition plan, the fire department has the following requirements with regard to future development on this site:

1. An adequate water supply shall be provided for fire protection including hydrants properly located and installed in accordance with the specifications of the Water Division. Hydrants shall be in place prior to commencing building construction.
2. Streets and roadways shall be as provided in accordance with the fire code, RCO 31 and the Zoning Ordinance and Land Development Manual. Emergency vehicle access roadways shall be serviceable prior to and during building construction.
3. All street, directional and fire lane signs must be in place prior to occupancy of any buildings.
4. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.

c: Donn Richardson, RPU, Water Division

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Draft Minutes of the City Planning & Zoning Commission  
Date of Hearing: March 26, 2003

**ANNEXATION:**

**Annexation Petition #03-10 by First Baptist Church to annex approximately 57.51 acres of land located along the north side of Salem Road SW (CSAH 25), west of Salem Road Covenant Church and west of the proposed Bamber Valley Estates development. The property is located in a part of the NW ¼ of Section 9 and a part of the NE ¼ of Section 8 Rochester Township.**

Mr. Brent Svenby presented the staff report, dated March 18, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

**Ms. Petersson moved to recommend approval of Annexation Petition #03-10 by First Baptist Church. Mr. Burke seconded the motion. The motion carried 7-0.**

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